

T. Mickell Jimenez (7975)  
Trenton L. Lowe (16091)  
**CLYDE SNOW & SESSIONS**  
201 South Main Street, 13<sup>th</sup> Floor  
Salt Lake City, Utah 84111-2516  
Telephone: 801.322.2516  
Facsimile: 801.521.6280  
tmj@clydesnow.com  
tll@clydesnow.com  
*Attorneys for Defendant Cafe Rio, Inc.*

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**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF UTAH, CENTRAL DIVISION**

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<p>SAM BURNINGHAM, Plaintiff, v. CAFE RIO, INC. DBA CAFE RIO MEXICAN GRILL, Defendant.</p>	<p><b>STIPULATED MOTION TO DISMISS WITH PREJUDICE</b>  Case No. 2:17-cv-00421-CW Honorable Clark Waddoups</p>
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Plaintiff Samuel Burningham and Defendant Cafe Rio, Inc., by and through their undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), request that the Court dismiss Plaintiff's complaint in its entirety and with prejudice.

DATED this 8th day of November, 2017.

CLYDE SNOW & SESSIONS, P.C.

/s/ T. Mickell Jimenez  
T. Mickell Jimenez  
Trenton L. Lowe  
*Attorneys for Defendant Cafe Rio, Inc.*

STUDEBAKER LEGAL SERVICES, P.C.

/s/ Michael P. Studebaker (signed with permission)  
Michael P. Studebaker  
*Attorneys for Plaintiff Samuel Burningham*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 8th day of November, 2017, I caused the foregoing **STIPULATED MOTION TO DISMISS WITH PREJUDICE** to be filed using the CM/ECF system, which caused electronic service to be sent to the following:

Michael P. Studebaker, Esq.  
STUDEBAKER LEGAL SERVICES, P.C.  
333 2<sup>nd</sup> Street, Suite 16  
Ogden, UT 84404  
*Attorneys for Samuel Birmingham*

*/s/ Marilyn Christensen*  
Marilyn Christensen  
Legal Assistant